

**IN THE
SUPREME COURT OF INDIANA**

CASE NUMBER:

**ORDER AMENDING RULES FOR ADMISSION TO THE BAR
AND THE DISCIPLINE OF ATTORNEYS**

Under the authority vested in this Court pursuant to *Article 7, Section 4* of the *Constitution of Indiana* to exercise original jurisdiction in the admission to the practice of law and the discipline or disbarment of those admitted, ***Rules 19, 23 and 29*** of the ***Indiana Rules for Admission to the Bar and the Discipline of Attorneys*** are amended to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**INDIANA RULES FOR ADMISSION TO THE BAR
AND THE DISCIPLINE OF ATTORNEYS**

Rule 19. Confidentiality

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Section 3.

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(f) Information ~~requested by written request by~~ relating to a violation of the Indiana Rules of Professional Conduct or to the unauthorized practice of law may be supplied to the Indiana Disciplinary Commission for information relating to disciplinary proceedings, reinstatement proceedings or unauthorized practice of law investigation, either at the request of the Disciplinary Commission or on the Board's own motion, providing, however, that no except that information received by the Board under an agreement of confidentiality or ~~designation of confidentiality or~~ otherwise restricted by law ~~or these rules~~ shall not be disclosed.

Rule 23. Disciplinary Commission and Proceedings

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Section 21. Annual Registration Fee

Funds necessary to enable the Commission to carry out its functions, obligations and duties under this rule shall be provided as follows:

(a) *Annual Registration Fee--Active Attorneys.* Except as provided in subsection (b), each attorney who is a member of the bar of this Court on August 1, 1978, each attorney who is a member on August 1 of each year thereafter, and each attorney admitted *pro hac vice* pursuant to Admission and Discipline Rule 3, Section 2, shall so long as the attorney is a member of the Bar of this Court, pay a registration fee of ninety dollars (\$90.00) a year on or before October 1 of such year. ~~For each day after October 1 of a year that an attorney's registration fee is unpaid, an additional delinquent fee shall be added to the registration fee in the amount of five dollars (\$5.00) for each day of delinquency, not to exceed one hundred dollars (\$100.00).~~ A delinquent fee in the amount of fifty dollars (\$50.00) shall be added to the registration fee for fees paid after October 1 and on or before October 15 of each year; a delinquent fee in the amount of one hundred dollars (\$100.00) shall be added to the registration fee for fees paid after October 15 and on or before December 31 of each year; and a delinquent fee in the amount of two hundred and fifty dollars (\$250.00) shall be added to the registration fee for fees paid after December 31 of each year. An attorney who has paid the registration fee under this subsection and any applicable delinquent fees and who is otherwise eligible to practice law in this state shall be considered to be in active good standing.

Any attorney admitted to practice law in this State on a date subsequent to August 1 of each year shall, within ten (10) days of the date of his or her admission to the Bar of the Court, or by October 1 of said year, whichever date is later, pay a registration fee of ninety dollars (\$90.00). The Clerk of this Court shall furnish to the Commission the names and addresses of all persons admitted to practice subsequent to August 1 of each year as said persons are admitted.

(b) *Annual Registration Fee--Inactive or Retired Attorneys.* One-half (1/2) of the registration fee referred to in subsection (a) shall be required of an attorney who files with the Clerk, on or before the date the registration fee referred to in subsection (a) would otherwise be due, an affidavit of inactivity, stating that he or she is currently in active good standing, and that he or she neither holds judicial office nor is engaged in the practice of law in this State. ~~For each day after October 1 of a year that an attorney's registration fee under this subsection is unpaid, a delinquent fee shall be added to the registration fee in the amount of \$5.00 for each day of delinquency, not to exceed \$100.00.~~ A delinquent fee in the amount of fifty dollars (\$50.00) shall be added to the registration fee for fees paid after October 1 and on or before October 15 of each year; and a delinquent fee in the amount of one hundred dollars (\$100.00) shall be added to the registration fee for fees paid after October 15 of each year.

An attorney who is sixty-five (65) years old or older and files such an affidavit of inactivity may designate his or her affidavit as a Retirement Affidavit and shall thereafter

be exempt from the payment of any registration fee. Such an affidavit of inactivity once filed shall be effective for each succeeding year, and as long as it is effective, in each succeeding year the attorney, unless otherwise exempt, shall pay the registration fee provided for in this subsection. An inactive attorney shall promptly notify the Clerk of a desire to return to active status, and pay the applicable registration fee for the current year, prior to any act of practicing law. An attorney who has paid the registration fee under this subsection and any applicable delinquent fees shall be considered to be in inactive good standing.

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Rule 29. Mandatory Continuing Legal Education

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SECTION 7. SOURCES AND USES OF FUNDS.

(a) Funding for the Commission shall be provided by a fee charged to each attorney in good standing upon the roll of attorneys in the Office of the Clerk, and every Judge. On or before August 1 of each year, the Clerk shall mail to each such person a notice that the education fee must be paid or an exemption affidavit filed with the Clerk on or before the first day of October. The yearly fee of fifteen dollars (\$15.00) will be paid with and in addition to the disciplinary annual registration fee on or before October 1 of such year. Both fees may be paid by single check. The Clerk will mail a statement for the payment of said fee to each such person at the same time a statement for the disciplinary annual registration fee is mailed. Failure to pay the education fee on or before October 1, will result in an imposition of a delinquency fee ~~computed at the rate of one dollar (\$1.00) for each day of delinquency, not to exceed fifteen dollars (\$15.00).~~ of fifteen dollars (\$15.00).

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This amendment shall take effect January 1, 2003.

The Clerk of this Court is directed to forward a copy of this order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners;

Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and the West Group.

The West Group is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public

DONE at Indianapolis, Indiana, this _____ day of July, 2002.

Randall T. Shepard
Chief Justice of Indiana

Dickson, Sullivan, Boehm, J.J. concur.

Rucker, J., concurs as to A&D Rule 19 but dissents regarding A&D Rules 23 and 29.